بِسْمِ اللَّـهِ الرَّحْمَـٰنِ الرَّحِيمِ

Tafsir Surah Al Ahzaab

Part 10

(The Eight Types Of Iddah In Islam)

29TH DECEMBER 2014 - 07 RABI AL AWWAL 1436 HIJRA

AYAH 45

يَـٰٓأَيُّهَا ﷺلنَّبِىُّ إِنَّآ أَرْسَلْنَـٰكَ شَـٰهِدًا وَمُبَشِّرًا وَنَذِيرًا ٤٥

O Prophet (Muhammad (ﷺ)! Verily, We have sent you as witness, and a bearer of glad tidings, and a warner, (Al-Ahzab 33:45)

This ayah is similar to 2:143

And thus we have made you a just community that you will be witnesses over the people and the Messenger will be a witness over you. (Al-Baqarah 2:143) Sahih International

- You (Muslims) will be a witness over the people on the Day Of Judgement.
- You will testify against the people of Nuh (AS), Hud (AS), Salah (AS), Shuaib (AS).
- they used to cheat with the scales.
- The people of Lut (AS) who were homosexuals.
- The people of Musa (AS) who dabbled in black magic.

- Muhammad (ﷺ) also brings glad tidings to the Muslims.
- And warns the infidels of the Hellfire.
- He gives the believers glad tidings of Paradise.

Say (O Muhammad ﷺ): "I possess no power of benefit or hurt to myself except as Allāh wills. If I had the knowledge of the Ghaib (unseen), I should have secured for myself an abundance of wealth, and no evil should have touched me. I am but a warner, and a bringer of glad tidings unto people who believe." (Al-A'raf 7:188)

- This ayah tells you that Muhammad (ﷺ) is a bringer of glad tidings.
- And a warner to the unbelievers.

AYAH 46

وَدَاعِيًا إِلَى ﷲِ بِإِذْنِهِۦ وَسِرَاجًا مُّنِيرًا ٤٦

And as one who invites to Allāh [Islāmic Monotheism, i.e. to worship none but Allāh (Alone)] by His Leave, and as a lamp spreading light (through your instructions from the Qur'ān and the Sunnah the legal ways of the Prophet SAW). (Al-Ahzab 33:46)

- In the above Ayah Allah (سبحانه وتعالىٰ) told us that Muhammad (ﷺ) invites people.
- To the Tawheed of Allah ((سبحانه وتعالىٰ)).
- He told Muadh Ibn Jabal (RA) when he was going to Yemen.
- To invite them to Tawheed before anything else.

Narrated By Ibn Abbas: When the Prophet sent Muadh to Yemen, he said to him, "You are going to a nation from the people of the Scripture, so let the first thing to which you will invite them, be the Tauhid of Allah. If they learn that, tell them that Allah has enjoined on them, five prayers to be offered in one day and one night. And if they pray, tell them that Allah has enjoined on them Zakat of their properties and it is to be taken from the rich among them and given to the poor. And if they agree to that, then take from them Zakat but avoid the best property of the people." [Sahih Bukhari, Vol 9, Book 93, Hadith #469] Bukharl (9/98) Hadith: 7372)

“...When the people embraced Islam, the Verses regarding legal and illegal things were revealed. If the first thing to be revealed was: 'Do not drink alcoholic drinks.' people would have said, 'We will never leave alcoholic drinks,' and if there had been revealed, 'Do not commit illegal sexual intercourse, 'they would have said, 'We will never give up illegal sexual intercourse.' [Sahih Bukhari, Vol 6, Book 61, Hadith #515]

Aisha (r.a.) said : If the first thing to be revealed was: 'do not drink alcoholic drinks.' people would have said, 'we will never leave alcoholic drinks,' and if there had been revealed, 'do not commit illegal sexual intercourse, 'they would have said, 'we will never give up illegal sexual intercourse.' [Sahih Bukhari, Vol 6, Book 61, Hadith #515]

- Ayesha (RA) said no one would embrace Islam.
- If the first thing Allah (سبحانه وتعالىٰ)revealed to people was about Haram and halal.

- You should teach them Tawheed first.
- Some of the people of USA and Europe don’t even that Allah exists.
- Some deny Him completely (atheist) and others aren’t sure (agnostic).
- Don't begin your dawah with fiqh.
- Example: you should not begin by telling them ‘don't drink alcohol, don’t eat pork’ etc.
- Invite the people to the Tawheed of Allah (سبحانه وتعالىٰ)
- If you follow the instructions of Muhammad (ﷺ) your dawah will be successful.

Say (O Muhammad (ﷺ)): "He is Allāh, (the) One. "Allāh-us-Samad (The Self-Sufficient Master, Whom all creatures need, He neither eats nor drinks).
"He begets not, nor was He begotten; "And there is none co-equal or comparable unto Him." (Al-Ikhlas 112:1-4)

- This is the Surah I used to give 450 shahadas in Africa.
- Had I gone there and tell the people not to eat pork, drink alcohol etc,
- No one would have taken shahada.
- But I followed the instruction of Muhammad (ﷺ).
- In Surah 16:36 was the message of all of the Prophets.

And verily, We have sent among every Ummah (community, nation) a Messenger (proclaiming): "Worship Allāh (Alone), and avoid (or keep away from) Tāghût (all false deities, etc. i.e. do not worship Tāghût besides Allāh)." Then of them were some whom Allāh guided and of them were some upon whom the straying was justified. So travel through the land and see what was the end of those who denied (the truth). (An-Nahl 16:36)

- Taghut means false deity.
- People worship Jesus (AS) but he is not a Taghoot.
- Because to be a Taghoot, you have to know that people worship you.
- And you allow and enjoy it.

- Allah also said that Muhammad is a lamp spreading light.
- The Berailvis said Muhammad is Nur because the ayah 33:46.
- They did not think Muhammad (saw) was Bashar (human).
- Fatawa about Muhammad (ﷺ) being Bashar not Nur:

Our Prophet Muhammad (ﷺ) is the leader of all the sons of Adam, and he is a human being, one of the sons of Adam. He was born from two parents, he ate food and married women, he got hungry and fell sick, and he felt joy and sorrow. One of the clearest signs of his humanity is that Allaah caused him to die as He causes all souls to die, but what distinguishes the Prophet (ﷺ) from others is Prophethood and Revelation.

Allaah says (interpretation of the meaning):"Say (O Muhammad): I am only a man like you. It has been revealed to me that your Ilaah (God) is One Ilaah (God ___ i.e. Allaah)"[al-Kahf 18:110]

The state of the Prophet (ﷺ) in his humanity is the same as that of all the Prophets and Messengers. Allaah says (interpretation of the meaning): "And We did not create them (the Messengers, with) bodies that ate not food, nor were they immortals" [al-Anbiya' 21:8]

Allaah condemned those who wondered at the humanity of the Messenger (ﷺ), as He says (interpretation of the meaning):"And they say: Why does this Messenger (Muhammad) eat food, and walk about in the markets (as we)…?"[al-Furqaan 25:8]

It is not permissible to overstep the mark with regard to what the Qur'aan states about the message and humanity of the Prophet (ﷺ). For example, it is not permissible to describe him (peace and blessings of Allaah be upon him) as being noor (light) or as casting no shadow, or to say that he was created from light. Rather this is a kind of exaggeration which the Prophet (peace and blessings of Allaah be upon him) forbade when he said: "Do not exaggerate about me as was exaggerated about 'Eesa (Jesus) ibn Maryam. Say: the slave of Allaah and His Messenger." Narrated by al-Bukhaari, 6830.

Abu Talhah (RA) narrated: We complained to Allah's Messenger (ﷺ) about our hunger and raising from our stomach (the garment) bared the stone each of us had tied to it. He showed that he had two stones (tied to his stomach.) [Sunan Tirmidhi (4/585) No. 2371, Bayhaqi in 'Shu'ab al Emaan' (13/54) No. 9943]

- All of the above proves that Muhammad (ﷺ) was human and not Nur.

Say (O Muhammad ﷺ): "I am only a man like you. It has been inspired to me that your Ilāh (God) is One Ilāh (God i.e. Allāh). So whoever hopes for the Meeting with his Lord, let him work righteousness and associate none as a partner in the worship of his Lord." (Al-Kahf 18:110)

- Even though you love Muhammad (ﷺ) it doesn't give you.
- The right to exaggerate on Muhammad (ﷺ).
- We are the balanced nation.
- When his son died he cried.

AYAH 47

وَبَشِّرِ ٱلْمُؤْمِنِينَ بِأَنَّ لَهُم مِّنَ ٱللَّهِ فَضْلًا كَبِيرًا ٤٧

And announce to the believers (in the Oneness of Allāh and in His Messenger Muhammad SAW) the glad tidings, that they will have from Allāh a Great Bounty. (Al-Ahzab 33:47)

- Allah (سبحانه وتعالىٰ) emphasized on Tawheed in this Ayah because.
- If you come to Him with sins reaching the sky,.
- As long as you do not commit shirk, He will forgive you.

Hudhaifa (RA) narrated the Messenger of Allah (ﷺ) said: "He who says 'La ilaha-ill Allah' (no one has the right to be worshipped but Allah) seeking Allah's Countenance (and pleasure) and is the last thing he does (in his life) will enter Paradise. And he who fasts a day seeking Allah's Countenance (and pleasure) and happened to be the last day in his life, will enter Paradise. And he who gives money as a charity seeking Allah's Countenance (and pleasure) and this was his last thing he did, will enter Paradise." [Musnad Ahmad (5/391) No. 23372]

"Allah the Almighty has said: 'O son of Adam, so long as you call upon Me, and hope in Me, I shall forgive you for what you have done, and I shall not mind. O son of Adam, were your sins to reach the clouds in the sky and were you then to ask forgiveness of Me, I shall forgive you. O son of Adam, were you to come to Me with an earthful of sins and were you then to face Me, without having associated anything with Me, I shall grant you an earthful of pardon.'" (At-Tirmidhi)

AYAH 48

وَلَا تُطِعِ ٱلْكَـٰفِرِينَ وَٱلْمُنَـٰفِقِينَ وَدَعْ أَذَىٰهُمْ وَتَوَكَّلْ عَلَى ٱللَّهِ ۚ وَكَفَىٰ بِٱللَّهِ وَكِيلًا ٤٨

And obey not the disbelievers and the hypocrites, and harm them not (till you are ordered). And put your trust in Allāh, and Sufficient is Allāh as a Wakīl (Trustee, or Disposer of affairs). (Al-Ahzab 33:48)

- In the above Ayah you are commanded not to obey the disbelievers and the hypocrites.
- Allah (سبحانه وتعالىٰ)commanded you to wage jihad against them.

O Prophet, fight against the disbelievers and the hypocrites and be harsh upon them. And their refuge is Hell, and wretched is the destination. (At-Tawbah 9:73)

- You are commanded by Allah (سبحانه وتعالىٰ) not to obey people who are outside of your religion.

O you who believe! Take not as (your) Bitānah (advisors, consultants, protectors, helpers, friends, etc.) those outside your religion (pagans, Jews, Christians, and hypocrites) since they will not fail to do their best to corrupt you. They desire to harm you severely. Hatred has already appeared from their mouths, but what their breasts conceal is far worse. Indeed We have made plain to you the Ayāt (proofs, evidences, verses) if you understand. (Aali Imran 3:118)

O you who believe! Take not the Jews and the Christians as Auliyā' (friends, protectors, helpers, etc.), they are but Auliyā' to one another. And if any amongst you takes them as Auliyā', then surely he is one of them. Verily, Allāh guides not those people who are the Zālimûn (polytheists and wrongdoers and unjust). (Al-Ma'idah 5:51)

- Don't take them as you bitana (close intimate friend).
- They desire to harm you.

- Allah (سبحانه وتعالىٰ) spoke about revenge in the ayah.

- Don’t take matters into your own hands.
- Wait until you are ordered to do so by the Amir.
- Maybe because you will over step the limits.
- If you want to take revenge, don't do so until you are ordered to do so.
- People usually go beyond the limits when they take matters in their own hands.
- Sometimes doing collective punishment, killing whole families for example.
- Razing homes is another example like what the Jews do in Palestine.
- The kuffaar only uphold the Geneva Convention when it suits them.
- Because every kaafir is a hypocrite and every hypocrite is a kaafir.
- Allah (سبحانه وتعالىٰ) said in another Ayah that you should take revenge to extend that.
- They afflicted you and should not transgress.

And if you punish (your enemy, O you believers in the Oneness of Allāh), then punish them with the like of that with which you were afflicted. But if you endure patiently, verily, it is better for As-Sābirin (the patient ones, etc.). (An-Nahl 16:126)

- Uthaymeen says you are allowed to kill the women and children of the kuffar.
- If they kill your women and children.
- In Surah 2:194 is the hujjah Uthaymeen uses for this fatawa.

UTHAYMEEN - KILLING WOMEN AND CHILDREN IN THE STATE OF WAR:
http://youtu.be/xqVcLPt75hg?t=2m20s

- If you can't cope with Uthaymeen's fatwa, you are a hypocrite.
- Because you care about the lives of the kuffar, but not the lives of the Muslims.
- If they kill our innocents we kill theirs.
- If they kill our women, we kill theirs… etc
- This is called an eye for an eye and a tooth for a tooth.

AYAH 49

يَـٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوٓا إِذَا نَكَحْتُمُ ٱلْمُؤْمِنَـٰتِ ثُمَّ طَلَّقْتُمُوهُنَّ مِن قَبْلِ أَن تَمَسُّوهُنَّ فَمَا لَكُمْ عَلَيْهِنَّ مِنْ عِدَّةٍ تَعْتَدُّونَهَا فَمَتِّعُوهُنَّ وَسَرِّحُوهُنَّ سَرَاحًا جَمِيلًا ٤٩

O you who believe! When you marry believing women, and then divorce them before you have sexual intercourse with them, no 'Iddah [divorce prescribed period, see (V.65:4)] have you to count in respect of them. So give them a present, and set them free i.e. divorce, in a handsome manner. (Al-Ahzab 33:49)

- The above Ayah is saying that if you marry a girl and did not consummate the marriage.
- She has no iddah to observe because she cannot be pregnant.
- The purpose of the iddah is to find out if she is pregnant.
- The iddah is usually three menstrual periods.

THE EIGHT TYPES OF IDDAH IN ISLAM

- Iddah is a chapter on its own

1. IDDAH OF A WOMAN WHOSE MARRIAGE WAS CONSUMMATED.
- Her iddah is three menses.
- If she is a woman in menopause, her iddah is three months.
- If she is a young girl, her iddah is three menses.

2. THE IDDAH OF KHULA
- Khula means the woman is divorcing her husband even though.
- The husband is good in character because there is no chemistry.

Narrated by Ibn 'Abbas: The wife of Thabit bin Qais came to the Prophet and said, "O Allah's Apostle ﷺ! I do not blame Thabit for defects in his character or his religion, but I, being a Muslim, dislike behaving in un-Islamic manner (if I remain with him)." On that Allah's Apostle said (to her), "Will you give back the garden which your husband has given you (as Mahr)?" She said, "Yes." Then the Prophet said to Thabit, "O Thabit! Accept your garden, and divorce her once." [Sahih Bukhari, Vol 7, Book 63, Hadith #197]

- The above Hadith is talking about khula.
- The iddah for khula is one menses.

3. THE IDDAH OF FASKH
- Faskh means an annulment of a marriage.
- A Muslim woman seeks faskh when the husband is evil in character, impotent or deadbeat.
- Deadbeat means he has no money, job or ambition.
- She may also ask for faskh if he is violent.
- The iddah for faskh is one menses (like the khula).

4. THE IDDAH OF THE FORNICATES
- According to shariah law, if a girl commits zina and wants to get married,
- She has to wait for one month before she gets married.
- There is no evidence in Quran or Sunnah to say she cannot marry the boy she fornicated with.
- Even though the Hanbalis don't allow it.
- We say to the hanbalis there is no evidence to stop the marriage.
- The hanbalis don't allow it because they say that.
- There will be no trust in the marriage because they slept before they got married.
- And there will no baraka in the marriage.

5. THE IDDAH OF A MARRIAGE WHICH IS DOUBTFUL.
- According to shariah law, if the marriage is doubtful (there is dispute about if it is valid)
- The iddah is one month just like khula.

6. THE IDDAH OF A PREGNANT WOMAN.
- According to shariah law, a man is allowed to pronounce divorce on his wife.
- If she is pregnant.
- The iddah of such a woman is until she delivers the baby.

...And for those who are pregnant (whether they are divorced or their husbands are dead), their 'Iddah (prescribed period) is until they deliver (their burdens), and whosoever fears Allāh and keeps his duty to Him, He will make his matter easy for him. (At-Talaq 65:4)

- As long as you are a pregnant woman, your iddah is until you deliver the baby.

7. THE IDDAH OF A WOMAN WHO IS A WIDOW

- According to shariah law, the iddah of a widow is four months and 10 days.

And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days, then when they have fulfilled their term, there is no sin on you if they (the wives) dispose of themselves in a just and honourable manner (i.e. they can marry). And Allāh is Well-Acquainted with what you do. (Al-Baqarah 2:234)

- It is worthy of mentioning that you can drop a hint to a widow.
- That you are interested but you cannot make a full proposal.
- Therefore, you have to use an innuendo.

8. THE IDDAH OF A WOMAN WHOSE MARRIAGE WAS NOT CONSUMMATED

- According to shariah law, a woman whose marriage was not consummated has NO iddah.

O you who believe! When you marry believing women, and then divorce them before you have sexual intercourse with them, no 'Iddah [divorce prescribed period, see (V.65:4)] have you to count in respect of them. So give them a present, and set them free i.e. divorce, in a handsome manner. (Al-Ahzab 33:49)

- A woman was married to the Prophet (ﷺ) and Ayesha (RA) stitched her up.
- She followed Ayesha's advice.
- Her advice was for the woman to say to him “I seek refuge in Allah from you’.
- As a result, the Prophet divorced her and sent her back.
- Not knowing what Ayesha (RAA) did.

It was narrated by al-Bukhaari (may Allah have mercy on him) in his Saheeh (5254) from Imam al-Awzaa‘i who said: I asked az-Zuhri which of the wives of the Prophet (ﷺ) sought refuge with Allah from him? He said: ‘Urwah told me, from ‘Aa’ishah (may Allah be pleased with her) that when the daughter of al-Jawn was brought in (as a bride) to the Messenger of Allah (ﷺ) and he came close to her, she said: “I seek refuge with Allah from you.” So he

said to her: “You have sought refuge with One Who is great; go back to your family.”

It was also narrated by al-Bukhaari in his Saheeh (5255) that Abu Usayd (may Allah be pleased with him) said: We went out with the Prophet (ﷺ) and came to a garden called ash-Shawt; we came to two walls and sat between them. The Prophet (ﷺ) said: “Sit here,” and he went in (to the garden). al-Jawniyyah had been brought and lodged in a house in a date-palm garden in the house of Umaymah bint an-Nu‘maan ibn Sharaaheel, and her maid was with her. When the Prophet (ﷺ) entered upon her, he said: “Give yourself to me (in marriage).” She said: Would a queen give herself to an ordinary man? He stretched out his hand to pat her so that she might calm down, but she said: I seek refuge with Allah from you. He said: “You have sought refuge with One who gives refuge.” Then he came out to us and said: “O Abu Usayd, give her two garments of white linen and take her to her family.”

QUESTION 1:
HOW COME THE IDDAH FOR KHULA OR FASKH IS ONLY ONE MENSES COMPARED TO THE NORMAL IDDAH OF 3 MENSES?

ANSWER 1:

- Remember the story of Thabit bin Qaysh?
- This is called the chapter of Khula.
- The Prophet (ﷺ) commanded her to wait one menses for her iddah.

Ibn Abbas (RA) narrated that in the times of the Prophet the wife of Thabit ibn Qays sought separation from him (her husband). So, the Prophet (SAW) commanded her to observe iddah (waiting period) till she got her menstruation. [Sunan at-Tirmidhi (Vol.3, pg. 491) No. 1185; Sunan Abu Dawud (Vol. 1, pg. 677) No. 2229 and Sunan An-Nasa'i (Vol. 6, pg. 169) No. 3462]

- This deen is not by logic but we go with the hujjah.
- A woman can go back to her husband after she divorces him with khula.
- BUT with a new Nikah.

QUESTION 2:
IS IT MAKRUH TO SPEAK LANGUAGES OTHER THAN ARABIC?

ANSWER 2:

- Yes, according to Ibn Taymiyyah (rh)

Ibn Taymiyyah said: "Moreover, the Arabic language itself is part of Islam, and knowing Arabic is an obligatory duty. If it is a duty to understand the Qur'an and Sunnah, and they cannot be understood without knowing Arabic, then the means that is needed to fulfil the duty is also obligatory." [Iqtida' as-Sirat al-Mustaqeem (1/527)]

QUESTION 3:
WHAT IS THE DIFFERENCE BETWEEN ONE DIVORCE AND 3 DIVORCES? THE PROPHET (SAW) SAID TO A MAN HE CAN DIVORCE A WOMAN ONCE AND TO TAKE BACK HIS GARDEN BUT I KNOW SOME PEOPLE END UP SAYING 'I DIVORCE YOU' 3 TIMES. SO WHAT IS THE DIFFERENCE?

ANSWER 3:
- If you divorce a woman 3 times in one sitting by saying.
- I divorce you, I divorce you, I divorce.
- It is counted as one divorce.
- This is the opinion of the Neo Hanbalis.
- And it is the correct opinion because the Prophet (□).
- And Abu Bakr (RA) counted it as one divorce.
- It was Umar (RA) who changed it to three divorces.
- To punish the men who play around with divorce.
- However, if a man pronounces three (3) divorces on his wife in three (3) different sittings,
- It is counted as three (3) divorces so he cannot take her back.
- Unless she marries another man and consummates.
- And later get divorced.
- Khula is one divorce so he can take back his wife with a new nikah.
- With khula, the wife has to return the dowry.
- However, with faskh and Talaq, she keeps the dowry.

QUESTION 4:
IS IT OK FOR MY FIANCÉ TO ASK FOR A GUN AS PART HER DOWRY EVEN THOUGH WE LIVE IN THE WEST AND IT'S ILLEGAL DOWRY?

ANSWER 4:
- This dowry is only allowed in darul Islam.